

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 27873/2017

[Arising out of impugned final judgment and order dated 16-03-2017 in WP(C) No. 124/2014 passed by the High Court of Delhi at New Delhi]

PAPORI KANWAR & ORS.

Petitioner(s)

VERSUS

I.P. COLLEGE FOR WOMEN & ORS.

Respondent(s)

(IA No. 100437/2017 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 434/2018 - MODIFICATION, IA No. 102055/2017 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES & IA No. 100439/2017 - PERMISSION TO FILE ADDL.DOCUMENTS/FACTS/ANNEXURES)

WITH

SLP(C) No. 21431/2017 (XIV)

(IA No. 68898/2017 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 68897/2017 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 163774/2022 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES & IA No. 103232/2022 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

SLP(C) No. 27880/2017 (XIV)

(IA No. 101129/2017 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 427/2018 - MODIFICATION, IA No. 102057/2017 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES & IA No. 101135/2017 - PERMISSION TO FILE ADDL.DOCUMENTS/FACTS/ANNEXURES)

SLP(C) No. 901/2018 (XIV)

(IA No.140979/2017 - PERMISSION TO FILE ADDL.DOCS./FACTS/ANNEXURES)

Date : 18-12-2024 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SUDHANSHU DHULIA

HON'BLE MR. JUSTICE PRASANNA B. VARALE

For Petitioner(s) Mr. Gagan Gupta, Sr. Adv.
Mr. Ananta Prasad Mishra, AOR

Mr. Anupam Lal Das, Sr. Adv.
Ms. Diksha Rai, AOR
Mr. Anirudh Singh, Adv.
Mr. Krishanu Baruah, Adv.
Ms. Atiga Singh, Adv.
Mr. Piyush Vyas, Adv.

Ms. Purvat Wali, Adv.

Mr. Sandeep Devashish Das, AOR

Mr. Anupam Lal Das, Sr. Adv.

Mr. Krishanu Barua, AOR

Mr. Anirudh Singh, Adv.

For Respondent(s) Mr. Gagan Gupta, Sr. Adv.

Mr. Jasbir Singh, Adv.

Mr. Saurabh Gupta, Adv.

Mr. Ananta Prasad Mishra, AOR

Mr. Santosh Kumar - I, AOR

Mr. Anshuman Sharma, Adv.

Mr. Sriharsh Nahush Bundela, AOR

Mr. Azaz Ahmed, Adv.

Mr. Apoorv Kurup, AOR

UPON hearing the counsel the Court made the following
O R D E R

Heard learned senior counsel/counsel appearing for the parties.

These are cross petitions. The petitioners/respondents(employees/teachers) have challenged the order dated 16.03.2017 passed by the Division Bench of the Delhi High Court which basically reiterates and follow the Division Bench order dated 07.12.2016. The primary issue before the Division Bench of the Delhi High Court was whether the teachers and employees of the Delhi University who are working in various colleges affiliated to the Delhi University could take House Rent Allowance (HRA) if they are having a free accommodation given by the University or by a college. The university relied upon a circular No.F.1-36/2000(DC) dated 08.03.2001 of the University Grants Commission (UGC) by which an employee or a teacher could claim either HRA or an accommodation and could not claim both. This is what was held by the learned Single Judge of the Delhi High Court and subsequently by the

Division Bench of the Delhi High Court. The Division Bench, however, while disposing the petition(s) and upholding the decision of the learned Single Judge, also directed that a Committee to be set up which would go into the issue primarily to decide how much amount is to be recovered, if any, from employees/teachers who have been taking HRA though they were not entitled to. There were other allied issues to be considered by the concerned Committee. This order has been challenged before us.

The primary concern of the petitioners/respondents(employees/teachers) before this Court is that the Committee may not exceed its jurisdiction given by the Delhi High Court and moreover, there are certain issues which still remain unresolved.

Be that as it may, since a Committee has already been constituted and the Committee must now resolve the issues as referred to it by the Division Bench of the Delhi High Court. The employees/teachers and the College would be at liberty to raise all their grievances before the concerned Committee which are directly or indirectly connected with the reference, which has been formed by an order of the Division Bench of the Delhi High Court and shall pass an order therein.

With these observations, the present petitions shall stand disposed of. Pending application(s), if any, stand (s) disposed of.

(NIRMALA NEGI)
COURT MASTER (SH)

(RENU BALA GAMBHIR)
COURT MASTER (NSH)